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EXAMINER

NGUYEN, NGA B

ART UNIT PAPER NUMBER

3628

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/332,459

Applicant(s)

MAGARAM ET AL.

Examiner

Nga B. Nguyen

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-28 and 31-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-28 and 31-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on August 15, 2005, which paper has been placed of record in the file.
2. Claims 1, 3-9, 11-28, and 31-37 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1, 3-9, 11-28, and 31-37 have been considered but are not persuasive.

In response to applicant's arguments regarding to claim 1 that Moran does not teach "receiving input that defines a hierarchical relationship between the first and second objects", examiner respectfully disagrees and examiner submits that Moran teaches a financial planning system that allow an advisor to take advantage of certain dependencies between input data, such as, for example, an inheritance triggered by the death of someone or an annual contribution to a savings fund on a person's birthday. In particular, column 20, lines 20-52 and figure 30, detail a method by which a first data entry consist of one or more monthly expenses incurred by Melanie. A second data entry corresponds to a date of death of Melanie. A third data entry corresponds to the beneficiaries upon the death of Melanie, such as, the survivors monthly living expenses, income tax rates, whether the survivor will receive social security, how long the survivor will live after Melanie dies, or a third data entry corresponds to household's income, expenses, cash flow, and the advisor is capable of inputting and making adjustments to the beneficiaries and household's income, expenses, cash flow. Thus, the third data

entry, which is the relationship between the first and second data entries is described in Moran as adjustable or user-accessible because the third data entry can be adjustable by the advisor. Therefore, Moran teaches "receiving input that defines a hierarchical relationship between the first and second objects" by the user.

In response to applicant's arguments regarding to claim 16, examiner submits that Moran teaches receiving input information includes synchronizing plan elements with data from another program (column 6, line 50-column 7, line 10; importing or exporting files).

In response to applicant's arguments regarding to claim 17, examiner submits that claim 17 contains similar limitations found in claim 1 above, moreover, Moran further discloses disabling at least one object, and developing a plan including running a simulation that excludes each disabled object (e.g. figure 24, in "PAID AT DEATH" field, disabling or enabling "CRAIG" and "MELANIE").

In response to applicant's arguments regarding to claim 20, examiner submits that claim 20 contains similar limitations found in claim 17 above, moreover, Moran further discloses a user interface for presenting a limited number of plan objects to a user and for receiving data for a first field of a first plan object and data for a second field of a second plan object (column 10, lines 60-65; the User Interface 230).

In response to applicant's arguments regarding to claim 24, examiner submits that claim 24 contain similar limitations found in claim 6 as indicated in the previous office action, Moran teaches the second field represents a date conditional on the amount

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represented in the first field (column 20, lines 20-40; e.g. the monthly living expenses and the date of death).

In response to applicant's arguments regarding to claim 36, examiner submits that claim 36 that parallel the limitations found in claim 17, which is contain similar limitations as discussed in claim 1 above.

In conclusion, for the reason set forth above, examiner decides to maintain Moran reference for rejection (also see details below) and make this Office action FINAL.

4. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 3-9, 11-28, and 31-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Moran, U.S. Patent No. 6,430,542.

Regarding to claim 1, Moran discloses a computer-readable medium having computer-executable instructions, comprising:

receiving input of a value corresponding to a first field of a first object that maintains plan data (column 16, lines 25-35; the client's date of death);

receiving additional input corresponding to a second field of a second object that maintains plan data (column 20, lines 20-40; monthly living expenses, or income tax rates, or investment risk tolerance, or household's income, or expenses, etc.);

receiving input that defines a hierarchical relationship between the first and second objects such that a value in the second field is at least partially based on the first field as a result of the hierarchical relationship (column 10, lines 47-60; the estate plan does need to know the date of death so that it can settle the estate as of the new date, thus, the date of death is the target object, the new date of settlement the estate is the dependent object depends on the date of death);

developing a plan by running a simulation on objects including the first and second objects (column 21, lines 62-column 23, lines 55);

receiving input of a new value for the first field, and developing a new plan by running a simulation on objects that maintain the plan data, including the first and

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second objects, in which in the new plan, the new value changes the information in the second field (column 16, lines 25-35; changing the client's date of death, running new simulation, monthly living expenses, or income tax rates, or investment risk tolerance, or household's income, or expenses will be changed).

Regarding to claims 3-8, Moran discloses the plan is a financial plan; the first field represents a date and the second field represents a date based on the first field (column 10, lines 47-60; the date of death and the date of settlement the estate); the first field represents an amount the second field represents a date conditional on the amount represented in the first field (column 20, lines 20-40; e.g. the monthly living expenses and the date of death); the first field represents a rate and the second field represents a date conditional on the rate represented in the first field (column 20, lines 20-40; e.g. the income tax rates and the date of death).

Regarding to claim 9, Moran further discloses receiving input corresponding to an adjustment value related to the second field (column 20, lines 32-36; adjusting the household's income, expenses, cash flow occur upon Melanie's death)

Regarding to claim 11, Moran further discloses associating a plurality of objects in a package object (column 15, lines 1-67; objects are arranged in groups or categories).

Regarding to claims 12-14, Moran further discloses disabling at least one plan element, enabling at least one plan element, and developing a plan by running a simulation includes arranging a list of plan elements that includes enabled elements and

excludes disabled elements are (e.g. figure 24, in "PAID AT DEATH" field, disabling or enabling "CRAIG" and "MELANIE").

Regarding to claim 15, Moran further discloses developing a plan by running a simulation includes removing expired elements from the list (column 20, lines 35-40; exclude other goals a household may have prior to Melanie's death).

Regarding to claim 16, Moran further discloses receiving input information includes synchronizing plan elements with data from another program (column 6, line 50-column 7, line 10; importing or exporting files).

Regarding to claim 17, claim 17 contain similar limitations found in claim 1 above, moreover, Moran further discloses disabling at least one object, and developing a plan including running a simulation that excludes each disabled object (e.g. figure 24, in "PAID AT DEATH" field, disabling or enabling "CRAIG" and "MELANIE").

Regarding to claim 18, Moran further discloses providing access to a limited number of objects to a user includes providing a user interface (column 10, lines 60-65; the User Interface 230).

Regarding to claim 19, Moran further discloses enabling a disabled object into an enabled object and running another simulation based on the plan objects including the enabled object (e.g. figure 24, in "PAID AT DEATH" field, disabling or enabling "CRAIG" and "MELANIE").

Regarding to claim 20, claim 20 contain similar limitations found in claim 1 above, moreover, Moran further discloses a user interface for presenting a limited number of plan objects to a user and for receiving data for a first field of a first plan

object and data for a second field of a second plan object (column 10, lines 60-65; the User Interface 230).

Claims 21-28, 31-35, and 37 contain similar limitations found in claims 1, 5-8, 12, 13, 16, 19, discussed above, therefore, are rejected by the same rationale.

Claim 36 is written in computer-readable medium that parallel the limitations found in claim 17 above, therefore, is rejected by the same rationale.

Conclusion

7. Claims **1, 3-9, 11-28, and 31-37** are rejected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Souh can be reached on (571) 272-6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
C/o Technology Center 3600
Washington, DC 20231

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Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany
Street, Alexandria, VA, First Floor (Receptionist).

Nga B. Nguyen

A handwritten signature in cursive script, appearing to read 'Nga B. Nguyen', written in black ink.

November 25, 2005